

Anna Crawford
57 Ashland Street
Willimantic CT 06226
860-423-2024

I would like to thank Senator Edith Prague and the members of the Committee on Labor and Public Employees for the opportunity to speak in support of Proposed S.B. 1037; Proposed S.B. 403; Proposed S.B. 404; Proposed S.B. 399; and Proposed S.B. 171. I would also like to thank those members of the Senate and House who have introduced all of the bills covered by this hearing.

I am an employee of the State of Connecticut Department of Revenue Services (DRS). My job location was 25 Sigourney Street, Hartford CT from January of 1995 through March 12, 2005. I am currently located at 101 East River Drive, E. Hartford CT. I am a victim of the sick building known as 25 Sigourney Street. On November 2, 2005, the Connecticut Department of Administrative Services under the direction of Linda J. Yelmini, then Commissioner, issued a letter stating that and I quote "Claims filed with supporting medical documentation removing the employee from the workplace, which meet the standards for establishing a prima facie claim, will receive the notice of contest with a cover letter. This letter will advise the employee that lost wage benefits will be paid without prejudice of accepting the claim during the investigation periods. Additionally, their letter will advise the employee that there name will be placed with DPW for temporary relocation. Medical documentation meets the prima facie standard when the format includes: a diagnosis, opinion as to causation and the employees work disposition."

My claim for removal and relocation from 25 Sigourney Street to 101 East River Drive began on March 13, 2006. I was removed from 25 Sigourney Street by my doctor, and told by the Department of Revenue Services Human Recourses Department that my claim met the prima facie claim requirements listed above and received a confirmation call from Doug Rinaldi, DAS Worker Compensation Unit, on March 16, 2006. I was sent home until a place was ready for me at 101 East River Drive in East Hartford. On March 24, 2006, I reported to 101 East River Drive. You would think this would have been a very smooth transaction as I had met all the requirements listed above as evidenced by DRS relocating me to 101 East River Drive and the confirmation call from Doug Rinaldi. This was not the case.

On April 26, 2006, GAB Robins sent me to Dr. Michael Conway for an IME, independent medical examination. (So much for a prima facie claim.) On May 17, 2006, the results of the IME were sent to GAB Robins. On May 31, 2006, I began earnestly to try to get GAB Robins, the worker's compensation intermediary for the State of Connecticut, to pay for my lost wages from March 13, 2006 through March 23, 2006. Need I point out there is already a 60 day delay in a claim that met prima facie requirements. On June 13, 2006, Sandy Millholen, DRS Human Resources, again faxed to GAB Robins the March 6, 2006, letter from my doctor supporting the prima facie claim. On June 14, 16, 22, and 26 I emailed and called GAB Robins and Doug Rinaldi in order to determine if and when I would be receiving payment for the two weeks in March. I was close to obtaining the services of an attorney. On July 7, 2006, partial reimbursement was sent to my employer and a check for two days was sent to me. The reason I am testifying is that even when a prima facie claim has been established, Worker's Compensation can take as long as they want to make a payment.

If a two-week loss of wages prima facie claim takes almost four months to be paid to the employee, I can only guess how long it takes for payment of a contested claim. There was never an informal hearing required for my claim. It should have been a very smooth transaction, but it was not. While I was in a position to wait for my payment without major harm, there are many employees who are financially strapped by the current system. Their credit is affected; they cannot provide food or pay the rent. In the case of 25 Sigourney Street sick building worker's compensation claims, the employee's sin was that he or she showed up for work every day and trusted his or her employer, the State of Connecticut, when they said they would take care of their employees. A four-month delay in wage reimbursement is no way for the State of Connecticut to take care of their employees.

Please support Proposed S.B. 1037; Proposed S.B. 403; Proposed S.B. 404; Proposed S.B. 399; and Proposed S.B. 171 to help employees receive damages and lost wages on a timely basis.



DEPARTMENT OF ADMINISTRATIVE SERVICES



STATE OF CONNECTICUT

November 2, 2005

165 Capitol Avenue
Hartford, CT 06106-1658
860-713-5100
FAX 860-713-7481
linda.yelmini@po.state.ct.us

LINDA J. YELMINI
Commissioner

Michael Winkler, President
Administrative and Residual Employees Union
705 North Mountain Road
Suite A211
Newington, CT 06111

Dear Mr. Winkler:

Please accept my apology for the error in my letter in the name of the Administrative and Residual Union.

I have asked Doug Rinaldi of our Workers' Compensation unit to contact you regarding the procedure regarding claims concerning the building at 25 Sigourney Street. He informed me of the conversations you had and that an informational meeting is scheduled for November 14, 2005. Also present at that meeting will be other union leaders. The agenda will outline the workers' compensation process in greater detail than that of your conversations to date.

The question you pose in your letter is not clear-cut. In an attempt to be helpful, I will go through what would probably be the typical scenario when an employee believes s/he has a health related issue regarding the building.

1. The employee files a claim for Workers' Compensation benefits. Pursuant to the September 9, 2005 policy, all claims will receive a response from GAB Robins within 28 days. Supporting documentation integrating the science and medical disciplines in support or defense of the claim is not likely to be completed within the 28-day limit. Thus, a notice to contest the claim will be the likely outcome at that juncture.
2. Claims filed without any supporting medical documentation will receive the notice of contest with a cover letter requesting the employee to supply it when available.

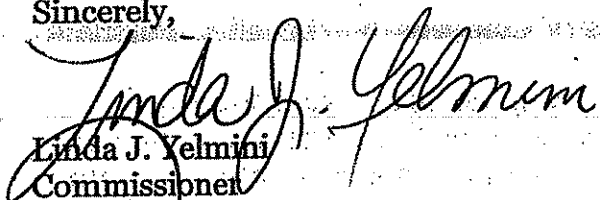
...

3. Claims filed with supporting medical documentation removing the employee from the workplace, which meet the standards for establishing a prima facie claim, will receive the notice of contest with a cover letter. This letter will advise the employee that lost wage benefits will be paid without prejudice of accepting the claim during the investigation period. Additionally, the letter will advise the employee that their name will be placed with the DPW for temporary relocation. Medical documentation meets the prima facie standard when the format includes: a diagnosis, opinion as to causation and the employee's work disposition.
4. The DAS WC Unit will provide relocation candidates as they develop to the Sigourney state agencies. It will be the agency responsibility to forward the requests for relocation to the Department of public works.
5. All indoor air quality claims will be validated through the independent medical examination process. Upon the conclusion of the investigation period and the independent medical exam, GAB Robins will either accept the claim through the issuance of a Workers' Compensation Voluntary Agreement or maintain the initial contest of the claim. If the claim is further contested, adjudication of the claim can be pursued through the Workers' Compensation Commission.

Mr. Rinaldi has phoned Dr. Santilli and has made arrangements for him to join the Workers' Compensation approved network of physicians. Mr. Rinaldi and Dr. Santilli will meet at a date to be determined after November 11th. Dr. Santilli was not available until that time.

Of course, all potential actions involving claim activity are not covered under this information letter but I hope it has been helpful to you. Please contact Mr. Rinaldi, (860) 713-5119 regarding claim specific questions you may have.

Sincerely,


Linda J. Yelmini
Commissioner

cc: James Fleming
Robert Genuario
Pam Law
Patricia Wilson-Coker
James Thomas
Andrea Keilty
Doug Rinaldi